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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:21-cr-00358-IM-3

v.

**GOVERNMENT'S SENTENCING
MEMORANDUM**

RENE RUIZ MORALES,

Defendant.

Introduction

Defendant acted as a courier for a transnational drug trafficking organization (DTO). This conduct allowed a Mexico-based drug trafficker to profit from the sale of heroin in Oregon and other markets in the United States. Following defendant's arrest, he promptly accepted responsibility by pleading guilty to his conduct in this drug distribution offense. The government agrees with the guideline calculation and criminal history computation as outlined in the PSR.

The parties agree defendant appears to be safety-valve eligible following *United States v. Lopez*,
Government's Sentencing Memorandum

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998 F.3d 431, 433 (9th Cir. 2021). There are no factual disputes between defendant and the government. As a result, the government recommends a 46-month sentence of imprisonment to be followed by three-years of supervised release and a \$100 fee assessment.

I. FACTUAL BACKGROUND

A. The Offense Conduct

Beginning in 2020, the Drug Enforcement Administration (DEA) commenced a long-term wiretap investigation into a Mexico-based DTO. In August 2021, DEA identified defendant as a suspected drug courier for the DTO.

On August 20, 2021, investigators tracked defendant traveling in a vehicle from Los Angeles, California, into Oregon. In Tigard, Oregon, investigators conducted a traffic stop on the vehicle and found a woman driving the vehicle with defendant sitting in the passenger seat. Defendant and the driver consented to a search of the vehicle and a narcotics detection canine alerted to the vehicle.

Investigators seized the vehicle pursuant to the search and a few days later executed a search warrant on the vehicle. During the search, DEA investigators found what lab results confirmed was a total of 1,171.1 grams of heroin. On September 9, 2021, defendant was arrested.

B. The Charges

Defendant was charged in a single-count indictment. Count one charged conspiracy to possess with intent to distribute and distribute controlled substances, to use a communication facility and to maintain drug-involved premises, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)A(viii), 841(b)(1)(A)(i), 843(b), 856(a), and 846.

C. The Plea Agreement & Government's Recommended Sentence

On March 14, 2022, defendant agreed to plead guilty to count one of the indictment.

Defendant accepted responsibility at an early stage and appears to take his criminal charge seriously.

The distribution of this quantity of heroin is a serious offense. Drug trafficking organizations profit from addiction and the human suffering that accompanies it. Defendant was found transporting a significant amount of heroin for sub-distribution, which is reflected in the base offense level outlined in the Presentence Report.

The government accepts the guideline calculations outlined in the Presentence Report and the plea agreement letter. After reductions, adjustments and a downward variance, the government will recommend a 46-month sentence of imprisonment as a “sentence sufficient, but not greater than necessary” to meet the purposes of 18 U.S.C. § 3553(a).

II. CONCLUSION

Based on the foregoing, the government recommends the Court impose a sentence of 46 months imprisonment, followed by a three-year term of supervised release, subject to the standard conditions, and a \$100 fee assessment.

Dated: June 1, 2022

Respectfully submitted,

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/s/ Andrew T. Ho
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